IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 16917 of 2007(L)

PETITIONERS:

1. K.GANGADHARAN NAIR, AGED 57 YEARS,
S/O.RAMAN NAIR, KARIPPATH HOUSE,
PADINKATTOM, KOZHUVAL, NILESHWARAM P.O.,
KASARGODE DISTRICT, CONDUCTOR
KASARAGOD KSRTC DEPT.

2. K.N.SASI, AGED 57 YEARS,
S/O.K.NANU, SREE SAILAM, KOZHYTHIL,
NILESWARAM P.O., KASARGODE DISTRICT,
CONDUCTOR KASARGOD KSRTC.

3. P.V.NARAYANAN, AGED 56 YEARS,
S/O.K.V.KANNAN, NEAR MUCHILOT, KIZHAKAN KARA,
AJANUR P.O., KANHANGAD VIA, KASARGODE DISTRICT,
CONDUCTOR KASARAGOD KSRTC, DEPT.

4. K.BALAN, AGED 58 YEARS,
S/O.K.CHINDAN, KANDATHIL HOUSE, KIZHAKAN KARA,
AJANUR P.O., KANHANGAD VIA, KASARGOD DISTRICT,
DRIVER, KASARGOD KSRTC, DEPT.

5. M.SHANKARAN, AGED 59 YEARS,
S/O.P.KUNHI KANNAN, MARUNGAL, ANADASRAM P.O.,
KANHANGAD VIA, KASARGODE DISTRICT,
DRIVER, KASARGOD KSRTC, DEPT.

BY ADV. SRI. JAWAHAR JOSE

RESPONDENTS:

1. THE KERALA STATE ROAD TRANSPORT CORPORATION LTD., TRANSPORT BHAVAN, TRIVANDRUM-695 001, REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE ASSISTANT PERSONAL OFFICER (PENSION), THE KERALA STATE ROAD TRANSPORT CORPORATION LIMITED, TRANSPORT BHAVAN, TRIVANDRUM-695 001.

3. THE ASSISTANT DISTRICT TRANSPORT OFFICER, THE KERALA STATE ROAD TRANSPORT CORPORATION LIMITED, KASARAGOD.

BY ADV.SRI.JOHNSON P.JOHN - SC KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C) No.16917 of 2007 L

Dated this the 4th day of June, 2007.

JUDGMENT

The petitioners have retired from service in the year 2005-06 from the respondent/Corporation. Their grievance is that they have not been paid their pensionary benefits except the Provident Fund Amount. They seek a direction to disburse the pensionary benefits and also interest on the belated payment of Provident Fund Amount, besides Staff Welfare Fund.

2. The payment of pensionary benefits is governed by an order of the Division Bench and the payment should be made strictly in accordance with the seniority. It is the case of the respondent/Corporation that payments have been made till 2003. The petitioners have retired in 2005 and 2006. The respondent/Corporation has to follow the seniority in the matter of payment of Death cum Retirement Gratuity and commuted value of pension. The petitioners have been given the provident fund amount, but apparently with some delay. They have not been paid the staff welfare amount.

Accordingly, the writ petition is disposed of directing the first respondent to disburse to the petitioners the statutory interest on the provident fund amount from the due date, till the date of

payment, within ten weeks from the date of receipt of a copy of this judgment. There will be a further direction to disburse the amount representing the staff welfare fund due to the petitioners also within 10 weeks from today.

Sd/-

(K.M.JOSEPH)

JUDGE

sk/

//true copy//

P.S. To Judge